

REMARKS

This is a Response to the Official Action mailed on June 18, 2007. Previously, in response to this final Office Action, a Notice of Appeal was filed; however, as what were to have been the new rules have not been implemented, rather than continue with the Appeal process, this Amendment is being filed along a Request for Continued Examination in order to continue with more standard prosecution path and, it is hoped, avoid the complexity of preparing an appeal brief.

The Office Action maintained its rejection of claims 1-21 were rejected, extended this to claims 22-31, and declared claims 32-54 as withdrawn. More specifically, independent claims 1 and 20 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 7,031,903 B2 to Debling (“Debling”), with dependent claims 2-19 and 22-31 also rejected either under 35 U.S.C. §102(e) based on Debling or under 35 U.S.C. §103(a) with Debling as the primary reference.

It is again believed that these rejections are not well founded, as is argued in the following. As discussed below, independent claims 1 and 20 have been amended and new dependent claims 55-58 have been added. The discussion below begins at the end of the Office Action, followed a discussion of the rejections.

Response to Arguments section

In paragraph 10, beginning at the bottom of page 10, the Office Action gives some of the argument presented in the previous Amendment, then provides some response to these. It is believed that this Response to Arguments section is in error on several bases; and since these reflect back on the rejections given earlier in the Office Action, this Response to Arguments section.

After listing arguments listed as (1)-(5), the Office Action states in response to these that:

Debling discloses in FIG. 3 that a target chip 100 is connected via a communication device 700 to a host computer system 800. The Examiner considers target chip 100 together with the connected communication device 700 as the claimed web server emulation device.

It is respectfully submitted that this statement is in error in several ways.

First, claim 1 is for “*A* web server emulation *device*”, where, as the added emphasis indicates this is for *a single device*. That the web server emulation device is a single device is believed clear from the application at, for example, the Field of the Invention (“a local device ...”, p. 1, ln.9), the Summary (“a small portable storage device such as a USB drive ...”, p7, ln.20), the figures (element 110, Figure 1), and so on through the rest of the specification. Thus, this is contrary to the Office Action’s Response to Arguments, which associates the single device of the claim with Debling’s “communication device 700” *and* “target chip 100”: This is a system *of two separate devices*, not *a* device, as is found in claim 1. To make this even more clear, claim 1 has been amended (with a similar change to claim 20) to specify that “the web server emulation device is a portable storage device”[emphasis added]; that is, a *single* device, which is directly contradictory to the Office Action’s comments that the “Examiner considers the target chip 100 together with the connected communication device as the claimed web server emulation device.”

Further, although these remarks of the Office Action state that the “Examiner considers target chip 100 together with the connected communication device 700 as the claimed web server emulation device”, the actual rejection of claim 1 (paragraph 3-1) refers only to elements from Debling’s “communication device 700”: there is *no reference* in the rejection to elements of “target chip 100”. Rather, the Office Action’s repeated rejection is again just based on the “communication device 700”, which as discussed previously and discussed again below, this rejection is again in error. In addition to the error of “target chip 100” being a separate device, the Office Action does not indicate how its inclusion affects the actual basis of the rejection of claim 1.

Additionally, aside from stating that the “Examiner considers target chip 100 together with the connected communication device 700 as the claimed web server emulation device”, the Response to Arguments section does not actually address the arguments (1)-(5) of the previous page. The Response to Arguments section of the Office Action goes on to cite the application at page 1, lines 15-17; however, this part of the Background discussion that describes a Web server; it is not present the claimed web server emulation *device*.

(With respect to “applicants’ argument (6), although the arguments previously given with respect dependent claims are still believed valid, the present Response will only address the

independent claims, claim 1 and claim 20. As claim 20 is for a system which contains a device corresponding to that of claim 1, the arguments given here with respect to claim 1 similarly apply to claim 20.)

Claim Rejections

Independent claims 1 and 20 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 7,031,903 B2 to Debling (“Debling”). Independent claim 1 is respectively drawn to *a* device---a single device, not a system of multiple devices---that can store and serve web content from its non-volatile memory to a digital appliance. (Claim 20 is for a system, but for a system containing such a device.) This is something that is neither taught nor suggested by Debling, which is rather, as described there in the “Filed of the Invention” (column 1, lines 5-8), a communication device suitable for debugging ...”.

More specifically, as noted in the Office Action, Debling does disclose an “on chip memory 721” at column 5, line 25, where, as described further at column 5, lines 31-32, “[t]he on-chip memory circuitry 721 may comprise flash memory”; however, this is the entirety of the Debling’s disclosure concerning non-volatile memory on the “communication device 700”. Neither in this memory nor elsewhere on the device 700 does disclose storing “web content”.

As also noted in the Office Action, at column 5, lines 41-42, Debling does state that “[i]n use the on-chip processing circuitry 720 operates using embedded web server processes”; but this does not describe the preparing of web content stored on the device 700 itself so that it may be server to Debling’s “host computer 800”. Rather, the “communication device 700” of Debling, as described in the rest of this paragraph in Debling, and these “embedded web server processes” are for the processing of data that is just passing though device 700 from an another device on its way to or from the “host computer” 800. For example, as it continues at line 43:

The consequence is that it is possible to move certain selected processes *from the host* onto the on-chip processing circuitry 720. Typically processes suitable for implementation on the on-chip processing circuitry include those that need frequent interaction with the target [target chip 100]. Examples of these are filtering debug events

...

where the emphasis has been added. Note that it is processes “from the host”, which would not rather than processes that a server would perform, that are transferred onto the device 700 and that is for interactions with “target chip 100”, *which is a separate device*. Debling also discusses

this further in the paragraph at lines 33-40 of column 5. As is believed clear from Debling's discussion, this is all data passing through the device 701. It is *not about data stored on this one device.*

In contrast , the invention being claimed in claims 1 is for a single device that can *store* and *provide* web content to a digital appliance, something which is not found Debling. Debling neither teaches nor suggests the serving, to a digital of appliance, of web content *from a non-volatile memory of the device itself.*

More specifically, claim 1 reads:

1. A web server emulation device for serving web content, the web server emulation device adapted to be coupled to a digital appliance for end use of at least part of the web content, the web server emulation device comprising:

one or more non-volatile storages *for storing at least part of the web content;*

one or more interfaces, coupled to at least one of the nonvolatile storages, the one or more interfaces for receiving and sending at least part of the web content, and

one or more agents for *preparing web content to be served* the digital appliance,

wherein at least part of *the web content is served to the digital appliance* for end use of the web content and the web server emulation device is *a portable storage device.*

The emphasis has been added to highlight the distinctions from Debling that were discussed above. That the device is "is a portable storage device" has been added to make these distinctions from Debling even more clear. As discussed above, in its Response to Arguments, the Office Action incorrectly indentifies the single device of the claim with multiple, distinct elements.

With respect to the "more non-volatile storages for storing at least part of the web content", the Office Action cites the "on-chip memory circuitry 721" of Debling; however, neither in this memory nor elsewhere does Debling disclose the storing of web content on the device 700.

With respect to the "agents for preparing web content to be served the digital appliance", the Office Action cites Debling at column 5, lines 41-43; however, this just discloses the "on-chip processing circuitry 720 operates using embedded web server processes", but this is for the use on data that does not originate

Finally, Debling neither teaches nor suggests that "at least part of the web content", which is stored in the "non-volatile storages", being "served to the digital appliance".

Concerning claim 20, this is an independent system claim that again includes the limitations of claim 1. Consequently, the arguments given above with respect to claim 1 correspondingly apply to claim 20

Therefore, for at least these reasons, it is respectfully submitted that a rejection of independent claims 1 and 20 (along with dependent claims 2-19 and 22-31) under 35 U.S.C. §102(e) as being anticipated by Debling (or §103(a) with Debling as the primary reference) is in error and should be withdrawn.

New Claims

New claims 55-58 have been added. This give specific embodiments for the web server emulation device as a single device, which is again directly contrary to the Office Action's identification with a multiple device system, and which should therefore make these claims further allowable.

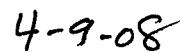
Conclusion

Accordingly, it is believed that this application is now in condition for allowance and an early indication of its allowance is solicited. However, if the Examiner has any further matters that need to be resolved, a telephone call to the undersigned would be appreciated.

Respectfully submitted,



Michael G. Cleveland
Reg. No. 46,030



Date

Davis Wright Tremaine LLP
505 Montgomery Street, Suite 800
San Francisco, CA 94111-6533
(415) 276-6500 (main)
(415) 276-6520 (direct)
(415) 276-6599 (fax)
Email: michaelcleveland@dwt.com